



1       The United States of America hereby submits this request for leave from the Court to dismiss  
2 certain counts against Defendant David Miller pursuant to Federal Rule of Criminal Procedure 48(a).  
3 Specifically, the United States Attorney for the Northern District of California moves to dismiss  
4 Counts Two and Three, as well as the bank object of the conspiracy described in Count Four, of the  
5 Indictment (Dkt. No. 1), Superseding Indictment (Dkt. No. 163), and Second Superseding Indictment  
6 (Dkt. No. 502) as to David Miller only, without prejudice. All other Counts as to defendant Miller  
7 shall remain in effect.  
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9 DATED: June 10, 2020

Respectfully submitted,

10 DAVID L. ANDERSON  
11 United States Attorney  
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13           /s/ Hallie Hoffman            
14 HALLIE HOFFMAN  
15 Chief, Criminal Division  
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1 **[PROPOSED] ORDER**

2 Based upon the motion of the United States, IT IS HEREBY ORDERED that leave is granted to  
3 the government to dismiss Counts Two and Three, and the bank fraud object described in Count Four,  
4 of the Indictment (Dkt. No. 1), Superseding Indictment (Dkt. No 163), and Second Superseding  
5 Indictment (Dkt. No. 502) against defendant David Miller. All other Counts against Defendant David  
6 Miller shall remain in full effect.

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8 DATED: June \_\_, 2020

9 HONORABLE CHARLES R. BREYER  
10 United States District Judge  
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